

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 7:20-cv-00288
	§	(LEAD CASE)
	§	
1.487 ACRES OF LAND, MORE OR LESS, SITUATE IN STARR COUNTY, STATE OF TEXAS, SALVADOR GARCIA III, <i>et al.</i> ,	§	
<i>Defendants.</i>	§	TRACT RGV-RGC-6013
	§	

UNITED STATES OF AMERICA,	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 7:21-cv-00022
	§	(MEMBER CASE)
	§	
2.450 ACRES OF LAND, MORE OR LESS, SITUATE IN STARR COUNTY, STATE OF TEXAS, AMERICO ELOY GARCIA, <i>et al.</i> ,	§	
<i>Defendants.</i>	§	TRACT RGV-RGC-6014
	§	

JOINT ADVISORY REGARDING REVESTMENT

Plaintiff, United States of America (“United States”), through the undersigned Assistant United States Attorney, and Defendants, Salvador Garcia, III, Maria Soledad Garcia, and Americo Eloy Garcia (collectively, “the Parties”) file this Advisory to inform the Court that the Parties have agreed to proceed with revestment of the land taken in this case in lieu of payment of just compensation for the fee acquisitions at issue in this case.

1. In this consolidated action, the United States acquired a fee simple interest in land situate in Starr County, Texas, identified as Tract RGV-RGC-6013 (1.487 acres, more or less) on October 15, 2020¹ and in Tract RGV-RGC-6014 (2.450 acres, more less) on February 1, 2022.²

¹ Dkt. Nos. 2 & 7 in Lead Case 7:20-cv-00288.

² Dkt. No. 2 in Member Case 7:21-cv-00022; Dkt. No. 26 in Lead Case 7:20-cv-00288.

2. On the dates of taking, Defendants, Salvador Garcia, III, Maria Soledad Garcia, and Americo Eloy Garcia owned an undivided interest in Tracts RGV-RGC-6013 and RGV-RGC-6014 (hereafter “Subject Property”). The Parties scheduled an ADR conference for December 7, 2022 to resolve the issue of just compensation for the taking of the Subject Property.

3. On December 6, 2022, Defendants informed the United States that in lieu of just compensation, Defendants requested revestment of the Subject Property. The Parties have agreed to proceed with revesting the fee interests acquired in the Subject Property. Upon resolution of the fair rental value for the period the United States held title to the Subject Property, the Parties will notify the Court that all issues have settled and circulate revestment documents for approval and execution by the Parties.

4. With the Court’s permission, and out of caution, the Parties request that the Court order the Parties to file a status report 30 days from the filing of this Advisory to update the Court on the resolution of fair rental value owed to Defendants and update the Court on revestment of the interests taken in this case.

Respectfully submitted,

FOR DEFENDANTS:

FOR PLAINTIFF:

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s/ Gregory P. Kerr w/permission

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CERTIFICATE OF SERVICE

I certify that on December 14, 2022, a copy of the foregoing document was served on counsel for Defendants via CM/ECF notice of electronic filing.

s/ Baltazar Salazar
Baltazar Salazar
Assistant United States Attorney